

REMARKS

Claim Objections:

Paragraph 1 of the Action objects to claim 8, because claim 8 as originally filed included a typographical error where the word “peak” mistakenly appeared as the word “park.” Applicants have amended claim 8 above to correct this error. Accordingly, Applicants respectfully request withdrawal of the objection.

Drawing Objections:

Paragraph 2 objects to drawings 7-13 because the original drawings are blurred. Applicants have submitted replacement sheets for drawings 7-13. Accordingly, Applicants respectfully request withdrawal of the objection.

Claim Rejections Under §112:

Paragraph 4 of the Action reject claim 40 under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants have amended claim 40 to depend from claim 38 instead of claim 39. Accordingly, Applicants believe that amended claim 40 is condition for allowance and respectfully request withdrawal of the rejection.

Claim Rejections Under §102

Paragraph 6 of the Action rejects claims 1, 6, 9, 14, 22-23, 25-26, 31, and 37-38 under 35 U.S.C. 102(b) as being anticipated by Hammond (U.S. Patent No. 3,945,646). Claims 9, 14, 17, 22-23, and 25 have been canceled in the above amendments thereby rendering this rejection moot as to these claims. Accordingly, Applicants respectfully request withdrawal of the rejection as to these claims; however, applicants have canceled these claims without prejudice and Applicants expressly reserve the right to pursue any patentable subject matter include in these claims at a later time. With regard to the remaining claims, Applicants respectfully traverse the rejection because Hammond fails to teach, suggest, or disclose all elements of the claims for at least the reasons described below.

With regard to claim, Applicant respectfully traverses the rejection because Hammond fails to teach “determining swing information related to a golfer’s current swing, receiving swing data over a wireless communication link, and combining the determined swing information with the swing data received over the wireless communication link . . .,” as required by claim 1. As noted in the specification, determining swing information can comprise interviewing the golfer to determine certain information. (See paragraph 28). Accordingly, Applicants respectfully request withdrawal of the rejection as to claim 1. Applicants further respectfully request withdrawal of the rejection as to claim 6, because claim 6 depends from claim 1, which is itself allowable over the art of record.

With respect to claim 26, Applicant respectfully requests withdrawal of the rejection because Hammond fails to teach, suggest, or disclose “a golf equipment fitting system, comprising a launch data collection system, comprising a high speed color camera system configured to obtain information related to the launch of a golf ball [and] a swing data collection system . . .,” as required by claim 26. Accordingly, Applicants respectfully request withdrawal of the rejection as to claim 26. Applicants further respectfully request withdrawal of the rejection as to claims 31 and 37-38, because they depend from claim 26, which is itself allowable over the art of record.

Claim Rejections Under §103:

Paragraph 8 of the Action rejects claims 2-5, 7-8, 10-13, 15-16, 20, 27-30, 32, and 35 under 35 U.S.C. 103(a) as being obvious in view of Hammond in further view of Naruo (U.S. Patent No. 5,821,417). Claims 10-13, 15-16, and 20 have been canceled in the above amendments thereby rendering the rejection moot as to these claims. Accordingly, Applicants respectfully request withdrawal of the rejection as to these claims; however, applicants have canceled these claims without prejudice and Applicants expressly reserve the right to pursue any patentable subject matter include in these claims at a later time. With regard to the remaining claims, Applicants respectfully traverse the rejection because Hammond and Naruo, alone or in combination, fail to teach, suggest, or disclose all elements of the claims for at least the reasons described below.

As for claims 2-5 and 7-8, Hammond cannot render these claims unpatentable, because Hammond does not teach each and every element of the claims as described above. Accordingly, the Action must rely on Naruo to make up for the deficiencies of Hammond. Naruo cannot make up for these deficiencies, however, because Naruo also fails to teach, suggest, or disclose, “determining swing information related to a golfer’s current swing, receiving swing data over a wireless communication link, and combining the determined swing information with the swing data received over the wireless communication link” Accordingly, the Action fails to make out a *prima facie* case of obviousness. Applicants, therefore, respectfully request withdrawal of the rejection as to claims 2-5 and 7-8.

With regard to claims 27-30, 32, and 35, Hammond cannot render these claims unpatentable, because Hammond does not teach each and every element of the claims as described above. Accordingly, the Action must rely on Naruo to make up for the deficiencies of Hammond. Naruo cannot make up for these deficiencies, however, because Naruo also fails to teach, suggest, or disclose, “a golf equipment fitting system, comprising a launch data collection system, comprising a high speed color camera system configured to obtain information related to the launch of a golf ball [and] a swing data collection system . . . ,” as required by claim 26. Accordingly, the Action fails to make out a *prima facie* case of obviousness. Applicants, therefore, respectfully request withdrawal of the rejection as to claims 27-30, 32, and 35.

Paragraph 9 of the Action rejects claims 18-19 and 35 under 33-34 U.S.C. 103(a) as being obvious in view of Hammond in further view of Kawaguchi (U.S. Patent No. 6,213,888). Claims 18-19 have been canceled in the above amendments thereby rendering the rejection moot as to these claims. Accordingly, Applicants respectfully request withdrawal of the rejection as to these claims; however, applicants have canceled these claims without prejudice and Applicants expressly reserve the right to pursue any patentable subject matter include in these claims at a later time. With regard to the remaining claims, Applicants respectfully traverse the rejection because Hammond and Kawaguchi, alone or in combination, fail to teach, suggest, or disclose all elements of the claims for at least the reasons described below.

As for claims 33-34, Hammond cannot render these claims unpatentable, because Hammond does not teach each and every element of the claims as described above. Accordingly, the Action must rely on Kawaguchi to make up for the deficiencies of Hammond. Kawaguchi cannot make up for these deficiencies, however, because Kawaguchi also fails to teach, suggest, or disclose, “a golf equipment fitting system, comprising a launch data collection system, comprising a high speed color camera system configured to obtain information related to the launch of a golf ball [and] a swing data collection system . . .,” as required by claim 26. Accordingly, the Action fails to make out a *prima facie* case of obviousness. Applicants, therefore, respectfully request withdrawal of the rejection as to claims 33-34.

Paragraph 10 of the Action rejects claims 21, 24, 36 and 39-40 under 35 U.S.C. 103(a) as being obvious in view of Hammond in further view of Evans (U.S. Patent No. 3,717,857). Claims 21 and 24 have been canceled in the above amendments thereby rendering the rejection moot as to these claims. Accordingly, Applicants respectfully request withdrawal of the rejection as to these claims; however, applicants have canceled these claims without prejudice and Applicants expressly reserve the right to pursue any patentable subject matter include in these claims at a later time. With regard to the remaining claims, Applicants respectfully traverse the rejection because Hammond and Evans, alone or in combination, fail to teach, suggest, or disclose all elements of the claims for at least the reasons described below.

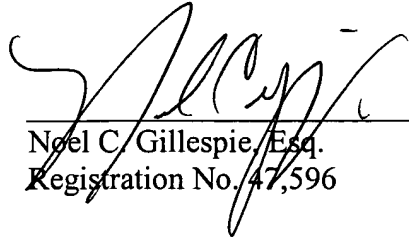
With regard to claims 39 and 40, Hammond cannot render these claims unpatentable, because Hammond does not teach each and every element of the claims as described above. Accordingly, the Action must rely on Evans to make up for the deficiencies of Hammond. Evans cannot make up for these deficiencies, however, because Evans also fails to teach, suggest, or disclose, “a golf equipment fitting system, comprising a launch data collection system, comprising a high speed color camera system configured to obtain information related to the launch of a golf ball [and] a swing data collection system . . .,” as required by claim 26. Accordingly, the Action fails to make out a *prima facie* case of obviousness. Applicants, therefore, respectfully request withdrawal of the rejection as to claims 39 and 40.

CONCLUSION

No additional fees are deemed to be due, however, the Commissioner is hereby authorized to charge any additional fee and/or credit any overpayment to Deposit Account Number 13-0480.

Respectfully submitted,

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